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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 05-00248 JMS
)	
Plaintiff,)	GOVERNMENT'S PROPOSED
)	JURY INSTRUCTIONS FOR
)	DEFENDANT SIGOUIN ONLY;
v.)	CERTIFICATE OF SERVICE
)	
ROBERT ALEXANDER SIGOUIN, (2))	
KEVIN PATRICK CASH, (3))	Date: April 25, 2006
)	Time: 9:00 a.m.
Defendants.)	Judge: Hon. J. Michael
_____)	Seabright

GOVERNMENT'S PROPOSED JURY
INSTRUCTIONS FOR DEFENDANT SIGOUIN ONLY

The United States of America, through its undersigned counsel, respectfully submits the following proposed jury instructions for Defendant Robert Alexander Sigouin only. Permission of the Court is requested to withdraw any of the

attached instructions or to offer additional instructions as may, during the course of the trial, become appropriate.

DATED: April 21, 2006 at Honolulu, Hawaii.

Respectfully submitted,

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By /s/ Mark A. Inciong
MARK A. INCIONG
Assistant U.S. Attorney

GOVERNMENT'S PROPOSED JURY INSTRUCTION NO. 1

An alien is a person who is not a natural born or
naturalized citizen or a national of the United States.

9th Cir. Crim. Jury Instr. 9.5 (2006)

GIVEN _____
REFUSED _____
MODIFIED _____

GOVERNMENT'S PROPOSED JURY INSTRUCTION NO. 2

Defendant Sigouin is charged in Count 7 of the indictment with the possession of ammunition in violation of Section 922(g) of Title 18 of the United States Code. In order for the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

First, the defendant knowingly possessed ammunition;

Second, the ammunition had been shipped or transported from one state to another or a foreign nation to the United States;
and

Third, at the time the defendant possessed the ammunition, the Defendant was not a natural born or naturalized citizen or a national of the United States.

9th Cir. Crim. Jury Instr. 8.59 (2000)

GIVEN _____
REFUSED _____
MODIFIED _____

**CLEAN COPY OF
JURY INSTRUCTIONS**

INSTRUCTION NO. _____

An alien is a person who is not a natural born or
naturalized citizen or a national of the United States.

INSTRUCTION NO. _____

Defendant Sigouin is charged in Count 7 of the indictment with the possession of ammunition in violation of Section 922(g) of Title 18 of the United States Code. In order for the defendant to be found guilty of that charge, the government must prove each of the following elements beyond a reasonable doubt:

First, the defendant knowingly possessed ammunition;

Second, the ammunition had been shipped or transported from one state to another or a foreign nation to the United States;
and

Third, at the time the defendant possessed the ammunition, the Defendant was not a natural born or naturalized citizen or a national of the United States.

CERTIFICATE OF SERVICE

I hereby certify that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served by First Class Mail:

MARY ANN BARNARD, ESQ. P. O. Box 235520 Honolulu, Hawaii 96813 Attorney for Defendant KEVIN PATRICK CASH	April 21, 2006
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ROBERT ALEXANDER SIGOUIN Federal Detention Center P. O. Box 30080 Honolulu, HI 96820 Defendant PRO SE	April 21, 2006
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Served Electronically through CM/ECF:

GLENN D. CHOY, ESQ. choyhawaii@hawaiiantel.net	April 21, 2006
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DATED: Honolulu, Hawaii, April 21, 2006.

/s/ M. Derby-Taufa'asau